



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

July 22, 2019

Sent via email to:

Andrew Free
MuckRock News, DEPT MR 76955
411A Highland Ave
Somerville, Massachusetts 02144
76955-75645161@requests.muckrock.com

Subject: OIG Freedom of Information Act Request No.
 2019-IGFO-00202 Expedition Denial

Dear Mr. Free:

This acknowledges receipt of your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) Office of Inspector General (OIG), dated July 14, 2019, seeking:

1. Any record of your agency or any component thereof creating, receiving, or being notified of a Significant Incident Report taken by any Health and Human Services official from or involving an unaccompanied minor child in federal custody (whether ORR, BP, or ICE) raising complaints, allegations, or factual material suggestion violations of any law, regulation, or policy by Border Patrol agents or contractors.
2. Any record your agency or any component thereof created, received, or was notified of relating to follow-up or investigation results arising from an SIR described in Item 1 above.

In your letter you request expedited processing of your request. For requests to be considered for expedited processing the requester's letter must indicate the basis on which such treatment is sought. Requests will be taken out of chronological order based on the date of receipt and given expedited treatment only when it is determined that they involve: (1) circumstances in which lack of such treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; (2) an urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information; (3) the loss of substantial due process rights; or (4) a matter of widespread and exceptional media interest in which

there exist possible questions about the government's integrity which affect public confidence. 6 C.F.R. § 5.5(e)(1)(i), (ii), (iii), (iv). Requesters seeking expedited processing are required to submit a statement explaining in detail the basis for their request for expedited processing, and that statement must be certified to be true and correct. 6 C.F.R. § 5.5(e)(3).

You have requested expedited processing of your request under the Department's standard permitting expedition for requests involving urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information. 6 C.F.R. § 5.5(e)(1)(ii). Based on the information provided, we have determined that your request for expedited processing under this standard should be denied. Your letter fails to establish a particular urgency to inform the public about government activity beyond the public's right to know about government activity generally, as required by Department regulations. 6 C.F.R. § 5.5(e)(3).

You also requested expedited processing of your request under the Department's standard permitting expedition for requests involving an imminent threat to the life or physical safety of an individual. 6 C.F.R. § 5.5(e)(1)(i). Based on the information provided, we have determined that your request for expedited processing under this standard should be denied. Your letter fails to provide a detailed explanation for seeking expedited processing as required by Department regulations. 6 C.F.R. § 5.5(e)(3). You have not explained how access to the requested records would alleviate a specific threat to the life or physical safety of an individual.

Since your request does not meet the criteria for expedited review, your request has been placed in the queue for processing in the order in which it was received. We anticipate responding to your request within 20 business days; however, the actual time required to respond to your request depends on the number and types of responsive records identified and located in our records search. Unfortunately, we cannot predict exactly when your request will be processed, as we currently have a large backlog of requests. Please be assured that DHS-OIG will respond to your request as expeditiously as possible. We are using our best efforts to process all requests with due diligence on a first-in, first-out basis. We, therefore, appreciate your patience as we proceed with your request.

In accordance with DHS regulation 6 C.F.R. § 5.3(c), this letter also confirms your agreement to incur all applicable fees involved in the

processing of your request, up to the amount of \$25.00. You will be notified should fees exceed this amount.

Appeal

You have the right to appeal DHS-OIG's action regarding your request for expedited processing. Your appeal must be in writing and received within 90 days after the date of this response. Please address any appeal to:

FOIA/PA Appeals Unit
DHS/Inspector General
STOP 0305
245 Murray Lane, SW
Washington, DC 20528-0305

Both the envelope and letter of appeal must be clearly marked, "Freedom of Information Act." Your appeal letter must also clearly identify DHS-OIG's response. Additional information on submitting an appeal is set forth in the Department of Homeland Security regulations at 6 C.F.R. § 5.8.

Assistance and Dispute Resolution Services

Should you need assistance with your request, you may contact DHS-OIG's FOIA Public Liaison. You may also seek dispute resolution services from our FOIA Public Liaison. You may contact DHS-OIG's FOIA Public Liaison in any of the following ways:

FOIA Public Liaison
DHS-OIG Counsel
STOP 0305
245 Murray Lane, SW
Washington, DC 20528-0305
Phone: 202-981-6100
Fax: 202-245-5217
E-mail: foia.oig@oig.dhs.gov

Additionally, the 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration

8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

To check the status of your FOIA request, contact us at 202-981-6100, foia.oig@oig.dhs.gov, or check status online at <http://www.dhs.gov/foia-status>. Refer to the above-referenced tracking number if you contact us regarding your request. If we require additional information, we will contact you.

Sincerely,

Camille Callender

Camille Callender
OIG Office of Counsel